

MARK PINAL	§	
VS.	§	CIVIL ACTION NO. 1:07-CV-980
UNITED STATES OF AMERICA	§	

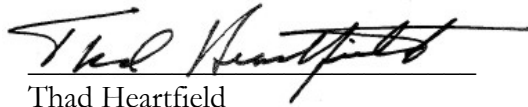
Plaintiff Mark Pinal, a federal prisoner, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to the Federal Tort Claims Act and *Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record, pleadings and all available evidence. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. Defendant's motion to dismiss is **GRANTED**.

A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED this the **14** day of **November, 2008**.

A handwritten signature in black ink, appearing to read "Thad Heartfield", written over a horizontal line.

Thad Heartfield
United States District Judge